

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MT. HAWLEY INSURANCE COMPANY,

Plaintiff,

-v-

AAPA PROPERTIES, LLC,

Defendant.
-----X

22-CV-6850 (JMF)

ORDER SCHEDULING
DEFAULT JUDGMENT
BRIEFING AND SHOW
CAUSE HEARING

JESSE M. FURMAN, United States District Judge:

On September 26, 2022, Plaintiff filed a motion for a default judgment under Federal Rule of Civil Procedure 55(b)(2) and Local Civil Rule 55.2(b). *See* ECF No. 15.

It is hereby ORDERED that Defendant shall file any opposition to the motion for default judgment by **October 17, 2022**. Defendant is cautioned that corporate entities may appear in federal court only through licensed counsel, *see Lattanzio v. COMTA*, 481 F.3d 137, 140 (2d Cir. 2007), and where such an entity “repeatedly fails to appear by counsel, a default judgment may be entered against it,” *Grace v. Bank Leumi Tr. Co. of N.Y.*, 443 F.3d 180, 192 (2d Cir. 2006) (internal quotation marks omitted).

It is further ORDERED that Defendant appear and show cause before this Court on **October 25, 2022, at 4:30 p.m.**, why an order should not be issued granting a default judgment against Defendant. Unless and until the Court orders otherwise, the conference will be held remotely by telephone in accordance with Paragraph 3.B of the Court’s Individual Rules and Practices in Civil Cases. The parties should join the conference by calling the Court’s dedicated conference line at (888) 363-4749 and using access code 542-1540, followed by the pound (#) key. No later than Thursday the week prior to the conference date, Plaintiff must file the proposed default judgment order electronically, using the ECF Filing Event “Proposed Default Judgment,” for the Clerk’s approval.

In the event that Defendant appears or opposes the motion for default judgment prior to that date, the parties shall prepare to treat that conference as the initial pretrial conference. That is, if Defendant appears, opposes the motion, or seeks a *nunc pro tunc* extension of time to respond to the complaint, then the parties — including Defendant — shall follow the pre-conference procedures specified in the Court’s Order of August 15, 2022, including by submitting a joint letter addressing certain topics and a proposed case management plan no later than the Thursday prior to the conference. *See* ECF No. 6.

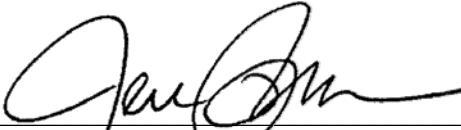
It is further ORDERED that Plaintiff serve Defendant via overnight courier with (1) a copy of the motion for default judgment and all supporting papers; and (2) a copy of this Order

within one business day of the filing of each document. In each case, within **two business days of service**, Plaintiff must file proof of such service on the docket.

Finally, it is ORDERED that the initial pretrial conference previously scheduled for November 23, 2022, is adjourned *sine die*.

SO ORDERED.

Dated: September 28, 2022
New York, New York



JESSE M. FURMAN
United States District Judge